

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

EDWARD SMITH, JR.,

Plaintiff,

No. 22-11586

v.

BISCHAN HASSUNIZADEH, *et al.*,

Honorable Nancy G. Edmunds

Defendants.

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**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S  
OCTOBER 12, 2023 REPORT AND RECOMMENDATION [63]**

This is a pro se prisoner civil rights lawsuit filed under 42 U.S.C. § 1983 by Plaintiff Edward Lee Smith, Jr. (ECF No. 1.) The case has been referred to Magistrate Judge Anthony P. Patti for all pre-trial matters. (ECF No. 42.) Before the Court is the Magistrate Judge's report and recommendation to dismiss without prejudice the unserved named defendants in this matter under Federal Rule of Civil Procedure 4(m). (ECF No. 63.) No party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *See Hall v. Rawal*, No. 09-10933, 2012 U.S. Dist. LEXIS 120541, at \*2 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). Nonetheless, the Court has reviewed the matter and agrees with the Magistrate Judge. The Court, therefore, ACCEPTS AND ADOPTS the report and recommendation (ECF No. 63). Accordingly, Defendants Nikkida Price, Christine Erickson, Tareg Baghal, Jaclyn Efrusy, Stephanie Rogers, Sanjay Varney-Herr, Erin Griffith, and Jon Paul Remus are dismissed without prejudice.

SO ORDERED.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: November 2, 2023

I hereby certify that a copy of the foregoing document was served upon counsel of record on November 2, 2023, by electronic and/or ordinary mail.

s/Lisa Bartlett  
Case Manager